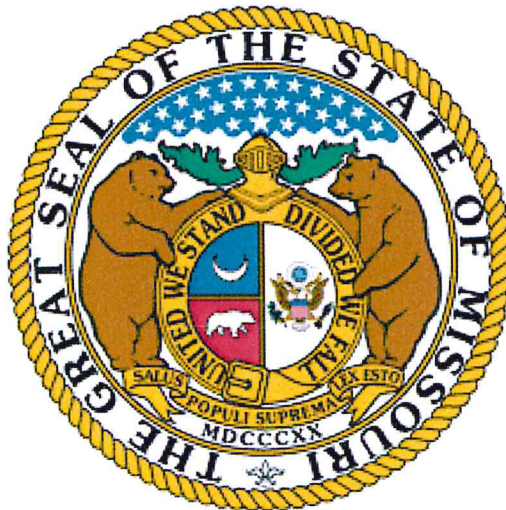


State of Missouri
Department of Public Safety

Crime Laboratory Review Commission



2014 Annual Report

April 2015

FOREWARD

The Missouri Crime Laboratory Review Commission (hereafter “Commission”) was established within the Department of Public Safety to provide independent review of any state or local Missouri crime laboratory receiving state-administered funding. In addition, the Commission is tasked with assessing the capabilities and needs of Missouri’s crime laboratories, as well as their ability to deliver quality forensic services in a timely manner to the law enforcement agencies in the state of Missouri.

The 2014 Annual Report is a comprehensive report summarizing the activities of the Commission during calendar year 2014.

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SUMMARY

The Missouri Crime Lab Review Commission (hereafter “Commission”) was established in 2009, pursuant to House Bill 62, within the Department of Public Safety to provide independent review of any state or local Missouri crime laboratory receiving state-administered funding.

Pursuant to 690.059 RSMo, the Commission shall have the power to:

- (1) Assess the capabilities and needs of Missouri crime laboratories, as well as their ability to deliver quality forensic services in a timely manner to law enforcement agencies in the state of Missouri;
- (2) Authorize independent external investigations into allegations of serious negligence or misconduct committed by employees or contractors of a crime laboratory substantially affecting the integrity of forensic results. The commission shall solicit input and guidance from any appropriate expert as it deems necessary in the investigation process;
- (3) Appoint members to inspection or investigative teams to assist in carrying out the duties described in subdivisions (1) and (2) of this subsection;
- (4) Issue reprimands to crime laboratories and to employees or contractors of crime laboratories found to be negligent or engaging in misconduct in the execution of their responsibilities;
- (5) Make recommendations for changes in procedure of crime laboratories found to be negligent in the execution of their responsibilities; and
- (6) Issue reports to the director of the department of public safety summarizing any findings of negligence or misconduct of a crime laboratory or an employee or contractor of a crime laboratory and making recommendations regarding revocation or suspension of grant funding that the commission deems warranted.

During the 2014 calendar year, the Commission convened six (6) meetings.

One matter of business was the Crime Laboratory Release Form, which authorized the Commission to obtain records necessary for its review of any complaints against the crime

laboratory or any employees of the crime laboratory. The following crime laboratories signed and returned the Release Form:

- (1) Independence MO Police Department Crime Laboratory
- (2) Kansas City MO Police Department Crime Laboratory
- (3) Missouri State Highway Patrol
- (4) St. Charles County Sheriff's Office Crime Laboratory
- (5) St. Louis County Police Department Crime Laboratory
- (6) St. Louis Metropolitan Police Department Crime Laboratory

The Commission also reviewed and made findings regarding a complaint filed by The Midwest Innocence Project alleging an employee of the St. Louis Metropolitan Police Department Crime lab violated laboratory policies by not conducting and not relying on a required microscopic sperm search test when he analyzed the evidence and subsequently testified to the results in the Mary Bell case. Secondly, the letter alleged that the employee falsely reported his findings omitting exculpatory results from his final laboratory report, and his report and testimony regarding ABO blood typing of evidence did not accurately reflect his test results. The letter asserted that if the allegations are true, they substantially affected the integrity of the forensic results and contributed to a conviction, which was later overturned.

The Commission determined to construe the letter as a complaint pursuant Section 650.059.8, RSMO. At the Commission's request, Department of Public Safety staff collected related court documents and trial testimony. In addition, the Commission requested directly from the Crime Lab a copy of any documentation, in any format, that was created by the St. Louis Metropolitan Police Department Crime Laboratory and/or any of its employees related to the Allen/Bell case. In response, the Commission received documents and CDs of files from the Crime Lab, to include lab manuals, evidence logs, photographs, case file documents, and emails. The Commission also posed six written questions to the Crime Lab, which were responded to by the Assistant Director for the Crime Lab. A request by the Commission to interview Joseph Crow was denied due to pending litigation against the Crime Lab.

Based on the allegations and review of the evidence, the Commission found that insufficient evidence existed to substantiate that the Crime Laboratory or its employee committed negligence or misconduct that substantially affected the integrity of the forensic results. This decision was issued in January of 2015.

The Commission also began a process to assess crime laboratory capabilities and needs through a Crime Laboratory Survey, which gathered information such as, but not limited to, the crime laboratory's accreditation status, functions/disciplines, staffing, outsourcing, statistical data, and challenges. A survey was returned by the following crime laboratories:

- (1) Independence MO Police Department Crime Laboratory
- (2) Kansas City MO Police Department Crime Laboratory
- (3) Missouri State Highway Patrol
- (4) St. Charles County Sheriff's Office Crime Laboratory
- (5) St. Louis County Police Department Crime Laboratory
- (6) St. Louis Metropolitan Police Department Crime Laboratory

The survey was the first phase of the Commission's plan to conduct site visits to each of the above mentioned crime laboratories during the 2015 calendar year. The information gathered in the survey will be used to direct the Commission's questions during the site visit and will be used in preparing the 2015 Annual Report and making any suggestions to improve the quality management systems within the crime laboratories in the state.